United Nations S/PV.5675

Security Council

Sixty-second year

Provisional

5675th meeting

Wednesday, 16 May 2007, 10 a.m.

New York

President:	Mr. Wolff	(United States of America)
Members:	Belgium	Mr. Verbeke
	China	Mr. Liu Zhenmin
	Congo	Mr. Ikouebe
	France	Mr. De Rivière
	Ghana	Mr. Christian
	Indonesia	Mr. Kleib
	Italy	Mr. Spatafora
	Panama	Mr. Arias
	Peru	Mr. Voto-Bernales
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Churkin
	Slovakia	Mr. Matulay
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce

Agenda

The situation in Bosnia and Herzegovina

Letter dated 3 May 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/253)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-34383 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 3 May 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/253)

The President: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina and Germany, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I request the Protocol Officer to escort His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to a seat at the Council table.

Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, was escorted to a seat at the Council table.

The President: On behalf of the Council, I extend a warm welcome to Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina.

At the invitation of the President, Mr. Matussek (Germany) took the seat reserved for him at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Christian Schwarz-Schilling, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

It is so decided.

I invite the High Representative to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to photocopies of document S/2007/253, which contains the text of a letter dated 3 May 2007 from the Secretary-General transmitting the thirty-first report on the implementation of the Peace Agreement on Bosnia and Herzegovina. I should like to note for the benefit of members that non-English language versions of that document have unfortunately not been issued at this time. The presidency has requested an explanation for that, so that we may explain to the members of the Council the reason for that lapse.

I should also like to draw the attention of members to document S/2007/268, which contains the text of a letter dated 8 May 2007 from the Secretary-General transmitting the ninth report on the activities of the European Union military mission in Bosnia and Herzegovina.

At this meeting, the Security Council will hear a briefing by Mr. Christian Schwarz-Schilling. As this is the last briefing that Mr. Schwarz-Schilling will present to the Council in his capacity as the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, I wish, on behalf of the members of the Council, to express our appreciation to High Representative Schwarz-Schilling for his important contribution to the consolidation of peace in Bosnia and Herzegovina. I now give him the floor.

Mr. Schwarz-Schilling: I first spoke to the Council a year ago, as Bosnia and Herzegovina was facing the challenges of transition: transition by the Bosnian authorities towards ownership, towards exercising the rights and responsibilities of a democracy and towards becoming a functioning European State. The international community was also facing the challenges of transition, namely, handing over the reins to the Bosnian Government — not doing their job for them when there were difficult decisions to make but standing close by to assist, advise and guide where needed.

Ownership is a difficult learning process, as recent experience has shown. An election year that saw the resurgence of nationalist rhetoric and ideological arguments has proven that. The ongoing prominence of discussions about events of the recent past — about who is to blame and who are the victims — has created a hostile political environment. And, finally, the long and difficult process of forming a Government took many months. The result of all that is that political reforms have now been blocked in Bosnia and Herzegovina for over a year.

That does not mean that the ownership path is wrong, but it is a warning we should not ignore: a warning that transition cannot be taken for granted, that the Bosnian authorities must increase efforts to live up to their responsibilities to govern their own country and that serious long-term international engagement must continue.

Last June, the Peace Implementation Council took a decision in principle to close the Office of the High Representative in June 2007. That was done in the context of positive developments and solid progress in Bosnia and Herzegovina towards joining the European Union (EU) and NATO.

But nationalist and backward-looking rhetoric on all sides did not recede after the elections last autumn. Political tensions increased through continued confrontational attitudes by the leaders in both Republika Srpska and the Federation. Tensions continued to rise this year following reactions to the judgement of the International Court of Justice, which some politicians have sought to exploit.

As my concerns for the political stability of Bosnia and Herzegovina grew, I discussed the situation with members of the Peace Implementation Council Steering Board. After in-depth consultations with capitals and with the Bosnian authorities, I recommended to the Peace Implementation Council to continue the Office of the High Representative, based on the situation in Bosnia and Herzegovina and the region. The Council agreed, with the goal of closing the Office by 30 June 2008, with reviews in October 2007 and February 2008.

The continuation of the Office of the High Representative is intended to assist Bosnia and Herzegovina to take those final, but significant, steps from peace implementation to Euro-Atlantic integration as soon as possible. Progress can come soon if the politicians step up to the task. Bosnia and Herzegovina has a unique chance and an historic window of opportunity to move an important step closer to Europe. Its leaders must seize this moment. The EU has approved the text of a stabilization and association agreement with Bosnia and Herzegovina, and the agreement is ripe to be initialled. But political conditions must be met.

Concrete progress is urgently needed on police reform and on full cooperation with the International Criminal Tribunal for the Former Yugoslavia. European Commissioner Rehn reminded Bosnian leaders again last week of the urgent need to overcome their differences and show real unity in order for the country to progress towards the European Union. Party leaders came close to a compromise solution on police reform on two occasions, but a solid agreement was prevented by a lack of political will, by an unwillingness to compromise for the sake of the country as a whole and by a lack of vision to make the changes that will serve their citizens better and bring them closer to Europe.

On the International Criminal Tribunal for the Former Yugoslavia, coordination has improved between relevant law enforcement agencies in Bosnia and Herzegovina. However, the remaining fugitives, chiefly Mladic and Karadzic, remain at large. The International Court of Justice (ICJ) judgment confirmed the essential obligations of the Republic of Serbia to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia. Let me be clear: Serbia has not delivered on that obligation. Serbia was found guilty of not preventing genocide. Serbia should be active in supporting the International Criminal Tribunal in carrying out its mandate to prosecute those responsible for the genocide. That is more than a moral and ethical obligation; it has significant implications for the stability of Bosnia and Herzegovina and the region.

Against that background, and in my capacity as High Representative, I wrote to President Tadić of Serbia last month. I asked him to inform me of measures being taken. However, President Tadić did not write in response. I would ask the Security Council to remind all parties to the General Framework Agreement for Peace in Bosnia and Herzegovina to comply with their obligation to cooperate with the International Criminal Tribunal for the Former Yugoslavia. I would also ask the Council to take note of the fact that no results have been forthcoming since

the International Court of Justice, another principal organ of the United Nations, issued its judgment over two months ago. I believe that the Security Council needs to consider very seriously how Serbia can be brought to implement the ICJ judgment. Again, this is a matter of stability in the region, and the Security Council must live up to its responsibilities in that regard.

Radical rhetoric has poisoned the political environment, and the issue of Srebrenica has returned to the headlines. There has been ruthless political manipulation of the issues by politicians motivated by their own ambitions. That only distracts from the real issues that require concrete action. I have appointed an envoy, former United States Ambassador Clifford Bond, to play a coordinating role with local actors on the ground, political leaders and the international community. We have set up a high-level coordination mechanism between the relevant local authorities supported by the international community. Key recommendations are being developed to improve the situation in real terms.

The Bosnian authorities must carry out their responsibilities and ensure that concrete measures are taken to improve conditions in the area. That is about justice and law enforcement institutions doing their work. It is also about the rights of returnees being upheld. And it is about economic livelihoods and decent social standards being restored to the region. But it is not about changing the constitutional and territorial order of Bosnia and Herzegovina. A unilateral change of the Dayton Peace Agreement would pose grave risks to peace and stability. The Security Council should consider making that point very clear.

The International Court of Justice verdict acknowledged that genocide occurred in Srebrenica. Srebrenica was a United Nations safe area. The United Nations had special responsibilities to the people of Srebrenica. I would like to take this opportunity to urge the Council to establish a United Nations Day of Srebrenica to commemorate the tragic events that occurred there in 1995 and to pay respects to the victims of genocide and their families.

I would like to take this opportunity to urge the leaders of Bosnia and Herzegovina to act responsibly and constructively to improve the situation on the ground in the Srebrenica area. They can do this, as events last weekend showed. Constructive cooperation between the relevant authorities at all levels of government, with the international community on hand to facilitate, ensured that the families of victims were able to bury their loved ones in peace and dignity in Bratunac. That happened last Saturday. We were all happy about how it was done.

But such constructive cooperation is needed on a wider scale across the country. It is high time that Bosnian leaders returned to discussing concrete action for all of their citizens, and across political, social and economic issues. Economic reforms have not been completed on paper or in practice. Necessary laws for local and foreign investment are not yet in place. More effective efforts are needed to implement reforms in public administration and public broadcasting, and education reform requires serious engagement by the Bosnian authorities, supported by the international community. This lies at the heart of the country's regeneration and prospects for the future.

I would like to remind the Council of the simple words that stand at the entrance to the Kabul museum: "A nation is alive if its culture is alive". Those words were recently praised by a director from the United Nations Institute for Training and Research, who recommended that the far-reaching implications of these simple words should become the mantra of all aspiring nation-builders.

Despite the blockages, there is a positive difference between where Bosnia and Herzegovina stood when I took over on 31 January 2006 and where it stands now. There have been steps forward. Bosnia and Herzegovina held elections last October in line with international democratic standards. Though government formation was a long and partly frustrating process, it was carried out by Bosnian politicians without international intervention. Such are the painful learning experiences that accompany the lessons of ownership.

Bosnia and Herzegovina joined the NATO Partnership for Peace programme last December. That recognized key achievements in the field of defence reform and marked a significant step forward on the path to Euro-Atlantic integration. In regional development, Bosnia and Herzegovina has the opportunity to play a central role. Last December, Bosnia and Herzegovina joined other countries in the region to sign the Central European Free Trade

Agreement (CEFTA) to create a free trade area in South-eastern Europe. That economic and political achievement should promote economic development and contribute to stability. Just last week, the Regional Cooperation Council, now known as the Stability Pact, decided to have its seat in Sarajevo, placing Bosnia and Herzegovina at the heart of regional integration.

There has been movement on other long-standing issues as well. In particular, I would like to thank the Security Council for its constructive role in issuing a presidential letter on 30 April on the issue of police officers denied certification by the United Nations International Police Task Force. To reach such a solution, my staff worked together with the institutions of Bosnia and Herzegovina for several years. I would also like to commend the Council of Europe, the European Union Police Mission, the Department of Peacekeeping Operations and the United Kingdom presidency of the Security Council. I am confident that the authorities of Bosnia and Herzegovina will abide by their international obligations and carry out the provision of the Security Council presidential letter.

It is my understanding that the Security Council expects the decision taken by the Bosnian Government last December to establish a national review commission to be annulled. The Office of the High Representative stands ready to assist with implementation.

Finally, I would like to emphasize one significant reform that remains without progress — one of the most difficult, yet one of the most important, and one that leaders of Bosnia and Herzegovina urgently need to start: constitutional reform. It will not be resolved quickly, but it is my strong conviction that this reform is critical to ensuring that Bosnia and Herzegovina serves its citizens better and becomes an effective, functioning State capable of full membership in Euro-Atlantic institutions.

I believe that Bosnia and Herzegovina needs to establish a constitutional reform process within its own institutions that would provide the political parties, parliament and wider society with the forum for both substantive debate and technical preparations on the complex issues involved. Of course, the leaders of Bosnia and Herzegovina need to take full ownership of any process to reform their own constitution. And Europe and the United States stand together as partners with the authorities of Bosnia and Herzegovina to provide advice on standards and share our experience and expertise with them. I hope that party leaders will agree to establish a process. I intend to start political talks and work to set that process in motion during my remaining time in office.

In conclusion, the road to Europe must be unblocked. Police reform must be agreed upon so that the stabilization and association agreement can be signed and implemented. The remaining indictees must be urgently transferred to the Hague tribunal. Constitutional reform must be set on track. Transition must be completed.

It is time for the Bosnian leaders to step up to the plate. Of course, the international community must not waver from its commitment to assist. It must continue actively its policy of advising and guiding the Bosnian authorities to the point where the Office of the High Representative is no longer needed.

And Europe, above all, must understand the real responsibility that comes with supporting Bosnia and Herzegovina on its journey towards the European Union. Moreover, Europe must appreciate and respond to the complex and unique demands of assisting European integration in Bosnia and Herzegovina.

There remain many challenges in this critical period when Bosnia and Herzegovina is trying to stand fully on its own two feet. The international community should not look away or get impatient at this point, even though its role is changing. The job is not yet done. There will be further hurdles and obstacles, but Bosnia and Herzegovina's progress towards Euro-Atlantic integration will be determined by its own achievements and by those alone. It is the Security Council's responsibility to ensure that it is not decided by outside factors.

There are many challenges for the newly elected Bosnian Government. There will also be many challenges for my successor, Ambassador Lajcak of Slovakia, who was appointed by the Peace Implementation Council Steering Board last week and to whom I will hand over my post in July.

I would like to thank the Secretary-General and the Security Council for the support I have received during my mandate. I have been engaged in Bosnia and Herzegovina for 15 years in various roles and it has been a particular honour to serve there as High Representative and European Union Special

Representative. I shall continue to assist in whatever way I can. I fully intend to stay close to Bosnia and Herzegovina, a country I have come to know and love so well. I will watch closely and share its journey as it travels on the challenging but promising path to a brighter future.

The President: I thank Mr. Schwarz-Schilling for his thoughtful and comprehensive briefing.

I now invite His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to make a statement.

Mr. Špirić (Bosnia and Herzegovina) (*spoke in Bosnian; English interpretation provided by the delegation*): In January of this year, I addressed the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, and presented the next four-year programme with enthusiasm and a desire to achieve crucial changes across the board. A brief summary of the programme is as follows: a general mobilization of positive forces in our country and a need to reach compromise and find common interests everywhere. At the very beginning of my mandate, I clearly stated that between inertia and action, I would choose action as the only way to move forward.

Aware of the significance of this historical moment and the challenges that Bosnia and Herzegovina is facing, I emphasized that the most important programme goals of my office were police reform, continuation of defence reform in line with Partnership for Peace membership, continued efforts on constitutional reform, economic reform and intensified cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). During my mandate, I will be fully committed to the reform process. I would like to briefly inform the Security Council about the obstacles we have faced and the progress that we have made so far.

With regard to police reform, in the previous period we held intensive negotiations but did not reach an agreement. Regrettably, some political groups have ignored the efforts and readiness of others to compromise, maintaining their extreme positions. Because of their take it or leave it attitude, we were unable to reach an agreement which would lead us directly to the signing of a stabilization and association agreement with the European Union.

I am surprised to see such a lack of responsibility in governing on the part of the representatives of those political groups as well as their lack of understanding that the reforms are a matter of the process and not a matter of the moment. The question is how to proceed and how to achieve the much-needed agreement. There is only one answer: constant dialogue among the democratically elected political leaders.

In a country like mine, dialogue should be permanent. For that reason, I use every opportunity to stress that the only thing that should never stop in Bosnia and Herzegovina is dialogue. Unfortunately, we in Bosnia and Herzegovina are well aware of what happens when dialogue ceases and of the enormous price we paid in the past war. Currently, the basic problem in Bosnia and Herzegovina is the lack of political dialogue. As a matter of fact, such dialogue exists only when it is initiated and assisted by representatives of the international community.

As for constitutional reform, I would like to take this opportunity to reiterate my determination and decisiveness in resolving this issue. Unfortunately, this issue has caused many divisions in the past. Even though this was against the interests of Bosnia and Herzegovina citizens, some were cunning enough to use the issue merely to achieve election gains. That false expression of love and care for Bosnia and Herzegovina has frozen the further development of State institutions. It is time to leave it behind and to start negotiations in a spirit of full respect and understanding and with a sense of compromise. I cannot accept that all of us, together with the representatives of the international community engaged in this issue, should surrender to those who think that compromise means only the unconditional abandonment by their political opponents of all their ideas.

This should not be a win-lose situation. That is not progress but stagnation. My country should not be in a state of paralysis; it should be in constant motion towards the goal of Euro-Atlantic integration.

Regardless of what I said earlier, I do not want to sound completely pessimistic. By nature, I am an optimist, and, given the position I hold, I could not behave differently. Nevertheless, Bosnia and Herzegovina has achieved a great deal recently. As the Council is aware, we have been admitted to the Partnership for Peace Programme. For us, that was a

reward for everything that has been achieved in the field of defence reform.

Bosnia and Herzegovina has successfully concluded technical negotiations on the signing of a Stabilization and Association Agreement with the European Union. I can therefore say with pride that Bosnia and Herzegovina has shifted from the so-called Dayton era to the "Brussels era". Thus I have submitted to all ministries the list of laws deriving from European partnership, and I have asked them urgently to start work on this issue and to report, on a monthly basis, on the progress achieved.

I am aware that much more could have been done, while acknowledging that, on the path towards our final goal, we have faced several obstacles, mainly of a political nature. At the very beginning of my mandate, I insisted on stronger State patriotism, but I regret to say that some people, intentionally or by chance, have persisted in ignoring my appeals. I have also consistently stressed the importance of confidence-building within Bosnia and Herzegovina. It is clear, I believe, that confidence-building is the solution to many of the problems in our country and that it is a "reform above all other reforms". I am afraid that, should we fail in this undertaking, none of our other efforts will produce any significant results and that recently implemented reforms will appear unsuccessful.

Regarding cooperation with the International Criminal Tribunal for the former Yugoslavia, I should like to take this opportunity to stress that my position is clear: It is necessary to have full cooperation with the ICTY in order to overcome this issue, which has been a burden for such a long time. In the past, there has been, within the State framework, a great deal of arguing about who is cooperating and who is not. But my personal opinion is that we should put aside those accusations in order not to waste energy but to achieve concrete results.

Allow me to say a few words about the role of the international community in Bosnia and Herzegovina. First of all, I would like to express my sincere gratitude to the High Representative for everything he has done for Bosnia and Herzegovina and for the new political philosophy that he inaugurated during his mandate. I would like to thank him for having invested his wisdom, patience and diplomatic experience in sending a clear message to domestic leaders that he would rather see "one gram of domestic compromise than a ton of Bonn powers". That policy is pushing us to work together and consistently to seek compromise solutions. Some, however, have not understood the policy properly and continue to wait for a High Representative who would impose solutions and cover up for their failure to move ahead and for their irresponsibility.

I would also like to take this opportunity to thank the High Representative and this body for having resolved the issue of decertified police officers. We appreciate that very much, because the issue had caused an upheaval in the public and political arenas in Bosnia and Herzegovina. I am aware that this is not an ideal solution, but I am aware also that nothing more could have been achieved in that respect.

The international community has done a great deal in Bosnia and Herzegovina. However, there is an expression in our country that says: "Those who make no mistakes do nothing." I fear that the dependence of domestic politicians on the international community has been created by the latter, which is not helpful. Elected representatives should become the main stakeholders in the future of our country; they can, and should be allowed to, do so.

What I cannot accept is the view that we in Bosnia and Herzegovina have an ideal relationship with the international community but bad and irresponsible domestic politicians. I should also note here that Bosnia and Herzegovina is a State in which all projects of the international community have been assessed as successful, while the general assessment of that same international community is that Bosnia and Herzegovina has not achieved sufficient progress and that it cannot move forward. I think that Bosnia and Herzegovina is a State where there is neither absolute guilt nor absolute innocence and that everyone should shoulder his or her share of the responsibility for delays and failures. In future, we have to take a joint step forward.

I believe that the Council is aware of the situation in Bosnia and Herzegovina following the judgment of the International Court of Justice relating to the request for special status to be given to Srebrenica. My position is clear: Srebrenica deserves special attention, but not special status. I am not sure that that country, which itself has special status, could afford to have

special status for part of its territory without serious consequences.

Finally, allow me to stress the fact that progress in Bosnia and Herzegovina depends entirely on agreement between its peoples, because it is only dialogue and not a solution imposed from outside that can provide a prosperous future that is acceptable to all. We have always been grateful to the international community for its assistance and efforts, but the final decision on the future of my country must be taken by its elected representatives. We are certain that the new High Representative will accept that idea, as has Mr. Schwarz-Schilling, whom I would like to thank once again for everything he has done.

Mr. Spatafora (Italy): As the first Council member to speak at this meeting, let me address a very warm welcome to the High Representative, Mr. Schwarz-Schilling, and to the Chairman of the Council of Ministers of Bosnia and Herzegovina, Mr. Nikola Špirić. I wish to thank both of them for their statements, which have provided us with a very clear and lucid assessment of the latest developments in Bosnia and Herzegovina and an indication of the priorities — the right priorities — that the country must address in the coming months and years.

Allow me to quote a few lines from Mr. Schwarz-Schilling's statement that I believe say it all:

> "Bosnia and Herzegovina has a unique chance and a historic window of opportunity to move an important step closer to Europe. Its leaders must seize this moment." *(supra)*

I think that this will be key for the future.

Italy fully aligns itself with the statement to be delivered later by the Permanent Representative of Germany on behalf of the European Union (EU). I would therefore like to add just a few remarks drawing on our national experience.

On 3 May 2007, the EU member States approved the text of the Stabilization and Association Agreement. The Agreement is now ready for conclusion, and Bosnia and Herzegovina has the opportunity to take a tangible step forward, as has been said before, on the road to its European integration. However, the signing of the Agreement is dependent on the achievement of concrete progress in the fulfilment of outstanding commitments, first and foremost in implementing police reform, as well as on full cooperation with the International Criminal Tribunal for the former Yugoslavia.

Italy expects the leaders of Bosnia and Herzegovina to deliver quickly on their commitments, particularly in the area of police reform, in compliance with the three guiding principles set out by the European Union at the beginning of negotiations, which are reflected in the final report of the Directorate for Police Restructuring Implementation. We call on the political leaders of Bosnia and Herzegovina to shoulder their responsibilities and to take action to keep the country on its path towards European integration.

Constitutional reform is not only the greatest challenge facing Bosnia and Herzegovina but also the top priority in terms of creating more functional State structures and enabling the country to prepare for integration into the Euro-Atlantic community. We need to revive the reform proposals drafted in spring 2006. That process, as has been recalled, was stalled more than one year ago, and we support the efforts being made by the international community to ensure its successful completion.

Italy endorses the ruling by the International Court of Justice on the Srebrenica massacre of July 1995. We believe that the ruling should be applied scrupulously so as also to further ascertain responsibility and to ensure that justice prevails. At the same time, we believe that Bosnia and Herzegovina may also need to look towards its future and that it should not let its attention be monopolized by the tragic events of the past.

On 30 April 2007, Ambassador Sir Jones Parry, President of the Security Council, sent a letter to the authorities of Bosnia and Herzegovina concerning the issue of police decertification, bringing that long-standing issue to a resolution. We call upon the Office of the High Representative and the European Union Police Mission to closely follow the implementation of the provisions and conditions set forth in the letter.

Italy supported the decision adopted by the Steering Board of the Peace Implementation Council on 27 February to postpone the closure of the Office of the High Representative until June 2008, and we are ready to review the situation at the meetings of the Peace Implementation Council to be held later, in October of this year and in February 2008.

Italy remains committed to the stabilization and development of democratic institutions in Bosnia and Herzegovina and to the country's integration into European and Euro-Atlantic institutions. At the same time, we remain firmly committed to the process of handing over full ownership to the Bosnian authorities and to a gradual reduction of the international presence in Bosnia and Herzegovina, in line with the decision of the Peace Implementation Council.

As has been recalled, this will be Mr. Schwarz-Schilling's last appearance before the Security Council. Allow me, therefore, to join the President of the Council in thanking him on behalf of all of us for his strong commitment, his strong efforts and his strong leadership in his difficult endeavours.

Mr. Matulay (Slovakia): At the outset, allow me to join previous speakers in thanking High Representative and European Union Special Representative Mr. Schwarz-Schilling for his concluding briefing on recent developments in Bosnia and Herzegovina. At the same time, I would like to welcome to the Council His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and to thank him for his insightful remarks.

Slovakia aligns itself with the intervention to be delivered later this morning by the representative of Germany on behalf of the European Union (EU). Therefore, I shall limit myself to the following points.

First, I would like to express our continuing support for the High Representative and European Union Special Representative and for the ongoing efforts of his Office to facilitate intercommunity trust and confidence and to deepen responsibility, including through the gradual strengthening of local ownership, which is the guiding principle of European Union policy towards the country in question.

Here, I would like to reiterate our opinion — expressed in November last year — that the current constitutional setup does not make possible immediate abandonment of the Bonn powers. We continue to believe that the implementation of constitutional reform is vital for further positive developments in that respect. We believe that for constitutional reform to be successful, it must be a process driven from beneath, based on the same principle of strong local ownership and intensive dialogue throughout the society of Bosnia and Herzegovina. At the same time, we consider the role of the international community to be indispensable, particularly in getting constitutional reform back on track and keeping it in motion.

Secondly, I wish to join others, including the High Representative, in expressing appreciation for the formation of the new Council of Ministers of Bosnia and Herzegovina, which has reiterated its dedication to the path of Euro-Atlantic integration. Slovakia welcomes the recent finalization of the text of the Stabilization and Association Agreement with Bosnia and Herzegovina. Together with other nations of the EU, we are looking to the new authorities to meet all conditions necessary for the conclusion and signature of the Agreement as set out in the relevant conclusions of the Council of the EU. I would like to reiterate Slovakia's firm support for Bosnia and Herzegovina's European and Euro-Atlantic perspective — or, as Mr. Špirić called it, the "Brussels era" of Bosnia and Herzegovina.

Thirdly, we also understand that there is a need to move ahead with police reform, which, in our opinion, is a part of the complex reform process in Bosnia and Herzegovina. We see that this very complex issue reflects the most precious peacetime achievement in the country's post-conflict period: the personal security of persons belonging to different entities. Therefore, we continue to advocate a step-by-step approach, which, in our view, should be accompanied by inter-community dialogue at all levels.

Last but not least, I would like to warmly welcome the solution adopted by the Council on the issue of non-certification, which was reached as a result of joint efforts by its members, together with the Office of the High Representative and the United Nations Secretariat. In particular, we acknowledge with great appreciation that that solution not only preserves the legacy of the International Police Task Force in Bosnia and Herzegovina, but also confirms the EU's guiding principle of the policy of local ownership.

In conclusion, I would like to express the gratitude of my delegation for all the work done by High Representative Schwarz-Schilling, who accompanied the country at a difficult stage in its development and transition. We commend his work, and we believe that one of the achievements under his leadership was the fact that Bosnia and Herzegovina had the opportunity to shape its future in an authentic way, while assuming ownership of the process and

having the guidance of the international community. Mr. Schwarz-Schilling said that there will be many challenges for his successor, Ambassador Lajcak. We are confident that there will be a smooth transition process, for which we thank all partners in advance.

Mr. Kumalo (South Africa): We, too, wish to thank the High Representative, Mr. Schwarz-Schilling, for his comprehensive report and briefing. It is encouraging to us to note the many positive developments indicating that Bosnia and Herzegovina is progressing on the road towards the establishment of a fully functioning democracy.

Even though Bosnia and Herzegovina has made tremendous strides in establishing a political system that functions on democratic principles, work still needs to be done, especially with regard to bridging the ethnic divide and promoting reconciliation among the various ethnic groups in the country. We are specifically concerned about the developments relating to Republika Srpska as well as the apparent regression in Brcko district and the radicalization of issues relating to ethnicity. Those factors have the ability to undermine stability in the country.

The Balkans constitutes an area where peoples are surrounded by States that often reflect the same populations. Internal instability in any one country in the region always has the potential to disrupt the entire region, and Bosnia and Herzegovina is no exception. One way of creating a multi-ethnic society is for Bosnia Herzegovina to continue on its path of reform and for parliament to work resolutely to adopt the required amendment package, which would ensure the broader process of constitutional reform that is necessary to ensure effective government for all citizens of Bosnia and Herzegovina.

Bosnia and Herzegovina must remain focused on implementing the reforms, since that will ensure the long-term stability of a democratic and prosperous society. A political agreement should be reached on police reform and to finalize the full integration of the armed forces of Bosnia and Herzegovina to ensure enhanced cooperation with the justice system in the fight against organized crime.

We have noted with concern the difficulties with regard to the permanent return of refugees and internally displaced persons, who are estimated to number more than 130,000. Of specific concern is the conclusion of the Office of the United Nations High Commissioner for Refugees that returnees belonging to minority groups live in squalid conditions, with no access or limited access to even basic services. We call for more concerted efforts to enable those persons who wish to return to do so with the assurance that their rights and needs will be met.

Finally, we support the High Representative and the policy of progressively handing over responsibilities to the leadership of Bosnia and Herzegovina. It is therefore important that progress be maintained so that Bosnia and Herzegovina can become an even more democratic, multi-ethnic and stable country that contributes to the peace, stability and economic development of the Balkans.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We welcome the participation in today's Security Council meeting of Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina. We listened with interest to his presentation of the Bosnian leadership's assessment of the current situation in the country. We are grateful to Mr. Christian Schwarz-Schilling, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, for his report to the Council (S/2007/253, annex) and for his substantive briefing on recent developments in the country and on the work of the Office of the High Representative under its mandate pursuant to Security Council resolution 1722 (2006).

In general, we commend Mr. Schwarz-Schilling for his work during the reporting period. We take note of his balanced approach towards the interests of the Bosnian parties, with a view to helping them achieve a compromise solution through constructive dialogue. We hope that the High Representative will continue to take that approach, which is intended as far as possible to support political and diplomatic mechanisms, to encourage local initiatives and to reject unlimited recourse to the Bonn powers.

Success in the process of comprehensive normalization in Bosnia and Herzegovina continues largely to depend on the solid foundations of the Dayton Agreement, which has been shown in practice to be an effective instrument for maintaining stability. This relates in particular to the priority goal of further enhancing the climate of confidence and the constructive dialogue among the peoples of Bosnia on all outstanding issues, as well as to the importance of

patience in the Bosnian parties' search for mutually acceptable solutions in building a democratic and stable Bosnia and Herzegovina as a integral, multi-ethnic State composed of two entities and ensuring development for its three peoples.

We pay tribute to the High Representative for his efforts to assist in the ongoing process of reform in Bosnia and Herzegovina. We are convinced that for such reform to go forward it must be based on the real situation in the country; every step taken must be carefully considered, and full account must be taken of the interests of the Bosnian parties. In our view, neither the tools available to the High Representative nor the instrument of sanctions should be used to further an agenda that goes beyond the Dayton Agreement, in particular with respect to police and constitutional reform. Progress in such reform should be strictly based on consensus among the Bosnian parties.

We take note of the balanced efforts made by the High Representative in the difficult period following the October 2006 general elections in Bosnia and Herzegovina. We hope he will continue to take a cautious approach, carefully weighing every measure to be taken. We hope that in the framework of the forthcoming October 2007 review, the members of the Steering Board of the Peace Implementation Council will take account of the realities, not of some imagined threat to stability in Bosnia and Herzegovina. This relates first and foremost to the political rhetoric that is often heard in Bosnia and Herzegovina, which is clearly aimed at appealing to the sensibilities of the international community. We support an early transfer to the Bosnian side of responsibility for managing their country's affairs, including with respect to the forthcoming transition of the Office of the High Representative to a European Union mission. We advocate stepped up efforts in this area, and we share the European Union assessment that the Bosnian Government is capable of effectively controlling the situation in the country. That is reflected in the reduction of the European Union Force in Bosnia and Herzegovina by nearly two thirds.

With regard to the frequently heard concern that Kosovo issues are influencing the situation in Bosnia and Herzegovina, we are convinced that instead of cracking down in Bosnia itself, we should focus on negotiating a sustainable compromise settlement on the future status of Kosovo that would stabilize the situation in the region and not set an undesirable precedent. As a member of the Steering Board of the Peace Implementation Council and of the Contact Group, Russia will continue, in close contact with the High Representative, to play an active and constructive role in international efforts to support the leadership of Bosnia and Herzegovina in making continued progress on political and economic reform.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): I wish first of all to thank High Representative Christian Schwarz-Schilling for his briefing. We commend him for the efforts he has made to advance the political process in Bosnia and Herzegovina since he took up his post. My thanks go also to His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, for his statement. We are pleased to note during the more than 10 years since the signing of the Dayton Peace Agreement, Bosnia — through its own efforts and with the help of the international community — has taken many positive steps and has achieved notable results in institution-building, economic recovery, the rule of law and ethnic harmony.

In October 2006 Bosnia and Herzegovina satisfactorily held general elections and formed a new Government. It has begun the process of gradual integration into the European Union (EU). We commend the EU for its important role in promoting stability, security and economic and social development. We are pleased to see Bosnia and Herzegovina's gradual integration into European society. The current political progress was hard-won; we hope that all parties will cherish that progress and that Bosnia and Herzegovina, with the help of the international community, will continue to make progress and breakthroughs in key areas of reform in order to put in place a more mature political system and achieve genuine harmony and common development for all ethnic groups.

China is pleased to note that the issue of the non-certification of former police officers — a legacy of the country's history — has been resolved in a satisfactory manner. We commend the High Representative, the Department of Peacekeeping Operations and others for their efforts. We hope that Bosnia and Herzegovina will strictly implement the decisions of the Security Council, expedite the reform process and maintain social stability. China wishes to join with the international community and to make our own efforts

to assist Bosnia and Herzegovina to attain long-term stability and development.

Mr. Ikouebe (Congo) (*spoke in French*): My delegation too wishes to welcome the presence of the Chairman of the Council of Ministers of Bosnia and Herzegovina. We also thank the High Representative for his excellent work and for his recent report (S/2007/253, annex).

Since the Council's last meeting devoted to the situation in Bosnia and Herzegovina, general elections have taken place. These were of crucial important for the country and its future prospects. The High Representative reports that, unfortunately, the elections did not put an end to nationalistic rhetoric, which is obviously a source of tension and a reason for concern. Nevertheless, we note that most institutions have been established: for instance, a new Government has been formed, along with new administrations in most of the country's cantons. Among the outcomes of the October 2006 elections have been the decline of nationalist parties and, especially, the power-sharing among various political forces at all levels. The electoral success should make it possible to relaunch the constitutional reform process and the negotiations with the European Union on the Stabilization and Association Agreement. As the High Representative has pointed out, progress in that connection has slowed due to the political uncertainty prevailing in the region.

It seems to us more useful than ever to reaffirm the need to encourage the local population to take ownership of their own affairs as soon as possible and to make them responsible for their own destiny. The positive outcome of last October's elections, which were organized by local authorities themselves for the first time, is an encouraging sign in that regard and illustrates the genuine desire of all parties to begin to build a functioning, modern and democratic State.

However, much remains to be done to help Bosnia and Herzegovina to ensure its transition towards a peaceful, reconciled and integrated nation in the heart of Europe, in accordance with the provisions of the General Framework Agreement and resolution 1722 (2006), which the Council adopted on 21 November 2006.

First of all, the process of constitutional and economic reform must continue. Of course, thanks to the commitment of the parties and the tireless efforts of the High Representative, important reforms have been carried out with regard to the police and defence forces, as well as in the economic area. With regard to the latter, a broad-based undertaking has made it possible to clean up the business environment.

It is nevertheless the case that, under the authority of the new leadership and thanks to the positive contributions of all parties, major efforts are still needed in such critical areas as the implementation of the 18 March 2006 agreement on the reform of the constitution. That continues to be an historical step towards peace and economic and social reconstruction, as well as a precondition to consolidating the democratic process. The Council's recent decision to at last settle the issue of non-certified police officers constitutes an effort to calm the situation, which we welcome.

It will then be the duty of the authorities to do everything possible to overcome the remaining effects of a difficult past by redoubling efforts to arrest fugitives responsible for war crimes and crimes against humanity with a view to transferring them to the International Criminal Tribunal for the Former Yugoslavia. The High Representative rightly emphasized that point, as any hesitation in that regard will continue to have an impact upon the viability of the peace process and national reconciliation, as well as upon the implementation of the completion strategy that the Council has set for the Tribunal.

The implementation of the Peace Agreement in the troubled Balkan context is a source of satisfaction. The Council must nevertheless avoid a hasty disengagement, for we must guarantee and consolidate the realization of the common vision of peace and development shared by the ethnic groups of Bosnia and Herzegovina. We therefore support the gradual hand-over to local authorities of the powers of the High Representative. However, the challenges that still lie ahead call for caution. We therefore fully support the tireless efforts of the High Representative and the multinational stabilization force. We encourage the new authorities and all stakeholders not to relent in the implementation of commitments, so as to strengthen the rule of law and good governance.

Mr. Voto-Bernales (Peru) (*spoke in Spanish*): I would like to thank Mr. Christian Schwarz-Schilling, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, for introducing his report. We would also like to welcome

Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and to thank him for his statement.

My delegation continues to expectantly follow the progress being made in Bosnia and Herzegovina. We view as positive the fact that developments following the general elections in October have resulted in a reconstructed Government in Republika Srpska, the setting up of the Council of Ministers and the establishment of the Federation Government. There are also new governments in seven of the ten cantons. Nevertheless, all that progress has taken quite a long time to achieve, illustrating the persistence of certain political domestic difficulties.

We also take note of the success of the technical negotiations regarding the Stabilization and Association Agreement with the European Union. We trust that the various entities of the Bosnian Government will meet the necessary preconditions to make its implementation possible, in particular as regards restructuring the police force. That requires political understanding at the domestic level, which my delegation would like to encourage.

We are concerned about the lack of major progress in cooperating fully with the International Criminal Tribunal for the Former Yugoslavia. We urge the authorities of Bosnia and Herzegovina to redouble their efforts in that regard, thereby demonstrating their commitment to their country and to the international community, which expect that there will be no impunity for those crimes.

With regard to constitutional reform, we support the efforts of the High Representative to carry out that process. All the parties involved must understand the need to implement and contribute to that reform. It should be acknowledged that the circumstances in which the constitution was drafted have changed and are now very different. It is therefore necessary to make adjustments in order to set the country on a new path towards political and social development that is based on participation in the European community.

It is also important to pursue progress on the economic front. We recognize that Bosnia and Herzegovina has experienced growth, and we encourage the country's authorities to work on the necessary reform of economic and fiscal legislation to make it possible to lay the foundations for the development of the private sector.

Lastly, with regard to the closing of the Office of the High Representative, my delegation generally supports the idea of national authorities increasing their control over the country's situation and exercising ownership over their own fate. However, we believe it a priority that the international community remains on the ground as long as necessary in order to ensure that ownership is exercised effectively and that it guarantees that the causes of the conflict do not re-emerge.

I would like to conclude by expressing profound gratitude for, and acknowledgement of, Mr. Schwarz-Schilling's dedication, efforts and contribution to bringing peace to the country, building democratic institutions and laying the foundations for the rule of law in Bosnia and Herzegovina.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): Allow me to thank you, Mr. President, for convening this meeting. I too would like to welcome Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, who is participating in our meeting today. I should also like to thank Mr. Christian Schwarz-Schilling, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina and European Union Special Representative for Bosnia and Herzegovina, for his introduction of the thirty-first report on the implementation of the Peace Agreement. As today's briefing to the Security Council was Mr. Schwarz-Schilling's last, allow me to wish him every success in his future endeavours.

After months of heated campaigning, followed by months of hard work to form governments in Bosnia and Herzegovina at both the State and canton levels, a federal Government has finally been successfully established. We hope that governments will soon be set up in the three cantons that still have none. We also hope that the completion of the electoral process and the formation of governments will make it possible to refocus the country's energies on the necessary conditions for the signing of the Stabilization and Association Agreement with the European Union, fully implementing the General Framework Agreement for Peace in Bosnia and Herzegovina and its annexes and realizing the vision contained in the relevant resolutions of the Security Council.

In the current circumstances, and in view of progress made, the Peace Implementation Council

decided last February to extend, to June 2008, the prescribed period before the closure of the Office of the High Representative and to replace it with the Office of the Special Representative of the European Union. We hope this additional period will be utilized to meet the conditions required for such a step.

Among the priority issues that must be addressed in the next phase are constitutional reform, police restructuring and reform of the economy and of the defence, intelligence and public administration sectors, as well as the permanent return of refugees, unification of the city of Mostar in accordance with its civil regulations, and finding a long-term political solution to the problems that continue to sour relations between the State and the people of Brcko. Regional issues and uncertainty concerning the final status of Kosovo ought not to affect the political debate now taking place in Bosnia and Herzegovina.

Those who committed crimes of genocide and war crimes in Bosnia and Herzegovina must be convicted and sentences must be carried out in order for justice to be fully served. Full cooperation with the International Tribunal for the Former Yugoslavia is required, as is capturing the wanted indictees and bringing them to justice. That cooperation is necessary also because it is a requirement for the implementation of the Dayton Accords.

We wish to express our satisfaction at the resolution of an issue that has preoccupied us since January last year — the decertification of police officers in Bosnia and Herzegovina. In that regard, we commend the enthusiasm of the United Kingdom delegation during its Council presidency last month, which culminated in the efforts of the High Representative and the Government to reach the best possible solution to this issue.

Continuing commitment to Bosnia and Herzegovina on the part of the European Union and NATO will be needed in the next phase, because the EU Police Mission in Bosnia and Herzegovina and the NATO presence have made essential contributions to strengthening peace and maintaining stability in general, within the framework of the military aspects of the Peace Agreement and relevant Security Council resolutions.

Now, more than a decade after the signing of the Dayton Peace Accords, the time has indeed come for the transition of Bosnia and Herzegovina to a stage where it becomes a viable European country rooted in reform and characterized by modernity and democracy.

Mr. Verbecke (Belgium) (*spoke in French*): May I begin by thanking Mr. Schwarz-Schilling, the High Representative, for his statement and report. I also wish to thank Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, for his statement.

Belgium aligns itself with the statement to be made by our German colleague on behalf of the European Union (EU).

Belgium has noted with interest the content of the report of the High Representative, particularly its description of the evolution of the political situation. We welcome the establishment of the new Government. We are, however, concerned by the development of the internal political situation, which is characterized by stagnation.

Belgium calls for the cessation of all nationalist rhetoric and for the depoliticization of certain subjects, especially following the ruling of the International Court of Justice of 26 February 2007. That ruling should not serve as a pretext to review the political and institutional architecture of Bosnia and Herzegovinia.

Regard to the pending reforms, we call on the new Government to adhere to them and to undertake them without delay. The road to European and Atlantic integration has already been lengthy. Belgium hopes that progress can be made rapidly as regards reform of the police and full cooperation with the International Criminal Tribunal for the Former Yugoslavia. Those two elements are conditions sine qua non for signing the Stabilization and Association Agreement with the European Union.

Like the High Representative, we feel that constitutional reform is also essential with a view to establishing stable institutions and to ensuring fair distribution of powers.

Belgium welcomes the recent improvement in the matter of certification of police officers, and we wish to thank the delegation of the United Kingdom, among others, for the results achieved. We invite the authorities of Bosnia and Herzegovina to effectively implement that agreement.

Belgium reiterates its full support for the Dayton Accords and for the Office of the High Representative.

In that regard, we welcome the decision to maintain the Office with its current mandate until June 2008 and to maintain the Bonn powers. Given the political situation on different fronts, Belgium believes that the High Representative continues to be called upon to play an essential catalyzing role in the gradual transfer of responsibilities to the authorities of Bosnia and Herzegovina. We welcome the recent decision to appoint Mr. Lajcak as the new High Representative, and we take this opportunity to thank Mr. Schwarz-Schilling for the remarkable work that he has achieved.

Mr. Christian (Ghana): We welcome the presence in the Council today of Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina. We also express our appreciation to the High Representative, Mr. Schwarz-Schilling, for his briefing on the situation in Bosnia and Herzegovina and for his efforts to realize the preconditions for a united and stable State in which the various ethnic groups coexist peacefully and harmoniously. We wish him well in his future endeavours. We further commend the various international partners who are lending vital support to the process of normalization in line with the Dayton Peace Accords and Security Council resolutions.

We agree that the already complicated task of nation-building has not been made any easier by the legacy of distrust between the ethnic groups stemming from the tragic civil war in the 1990s, following the collapse of the former Federal Republic of Yugoslavia. The divisions became more evident during the elections, and we are pleased that the parties cooperated in making the conduct of the elections peaceful.

In this connection, it is our fervent hope that the necessary steps will be taken to ensure that the feared destabilizing impact of Kosovo's final status on Bosnia and Herzegovina will not materialize. We urge those clamouring for self-determination to exercise restraint and abandon the inflammatory rhetoric, in order not to impede progress in the much-needed constitutional reform and the restructuring of the police. Further fragmentation of the region will not augur well for the country's long-term stability. We believe that with sustained international engagement, the required benchmarks for achieving harmonious coexistence among the people and effective institutions of government will be achieved so that the people of Bosnia and Herzegovina will realize their aspirations for a better life within the Euro-Atlantic framework.

We welcome the progress made towards forming Governments at the State and Federation levels and hope that the remaining structures of governance will become fully operational as soon as possible. At the same time, we are concerned about the lack of agreement among the parties on the nature and scope of the constitutional reforms, due to their conflicting concepts of the character of Bosnia and Herzegovina as a State. Behind the two contending visions are age-old suspicions, rivalries and, perhaps, ambitions, which require deliberate confidence-building measures to transcend. The membership of Bosnia and Herzegovina in the Central European Free Trade Agreement and the Partnership for Peace is crucial in that respect. We encourage the relevant authorities to work assiduously towards meeting the preconditions for signing a stabilization and association agreement with the European Union. In particular, we wish to stress the need to consolidate the rule of law, not only as an important foundation for a viable State but also for increasing international confidence in the country. Therefore, we support capacity-building among the law enforcement agencies, the intelligence services and the judiciary and correctional services.

In the meantime, the question of the return of refugees and displaced persons equally deserves sustained attention. We view the transfer by the Office of the High Representative of responsibility for the returns to the domestic authorities as positive and welcome the progress that has been made in the area of property repossession. We are hopeful that the estimated 130,000 displaced persons who wish to return to their pre-war homes will be accorded the assistance they deserve.

To sum up, let me reiterate my delegation's appreciation of the tremendous progress that has been made by the international community in rebuilding Bosnia and Herzegovina and express the hope that the seemingly intractable outstanding problems will be resolved eventually.

Mr. Arias (Panama) (*spoke in Spanish*): Let me begin by welcoming Mr. Nikola Špirić and thanking him for his statement this morning with regard to the work, commitment and responsibilities of his Government. My delegation is pleased also to welcome the High Representative for Bosnia and Herzegovina,

Mr. Christian Schwarz-Schilling, and to thank him for the work he has done in carrying out his tremendous task, which deserves acknowledgment. The best witness to his work is the fact that, more than 10 years after the war and its scars, Bosnia and Herzegovina remains under the same Government without further outbreaks of violence.

However, much remains to be done. The current political stagnation in Bosnia jeopardizes the progress made in consolidating the achievements of the last 12 years.

The absence of progress in the areas of the constitution and the police and the insufficient cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), among other things, have paralysed Bosnia and set the stage for regression. Without ethnic and political consensus in Bosnia, the viability of the country is called into question. Thus, the main goal of the Dayton Accords — to consolidate peace in a multi-ethnic Bosnia — seems to be disappearing over the horizon.

The year 2006 was not a good one for Bosnia. Ethnic and nationalist policies have slowed and jeopardized the reform process that was leading the country towards European integration. The leaders of each ethnic group making up the population of the country have the primary obligation to reform institutions and enter into political agreements that go beyond their pre-war nationalist goals.

The decisions to be taken by Bosnia and Herzegovina's political leaders are difficult, which is not surprising in view of the tragic background that led to the disintegration of the former Yugoslavia. We reaffirm the territorial integrity, sovereignty and political independence of Bosnia and Herzegovina and urge its political leaders to cooperate among themselves and with the High Representative in order to resume the institutional reform process.

Although the future of Bosnia and Herzegovina is in the hands of its citizens, it also requires greater leadership, courage and vision on the part of its leaders than has been seen recently. Yet progress in the situation in Bosnia and Herzegovina requires the active participation of the international community. Today more than ever, we all have a responsibility to guide Bosnia and Herzegovina towards a liberal democracy and a free-market economy. Through the High Representative for Bosnia and Herzegovina, we reiterate our support and urge the parties to take the difficult political decisions necessary for the country if it is to progress.

Likewise, the European Union needs to increase its commitment to Bosnia if it expects the country to meet the obligations that will set it on the road to Brussels. The European Union should ensure that the responsibilities it has assumed in Bosnia continue to be a priority to its members, and that it fulfils that obligation in an energetic and broad-based manner. Only this will ease the political transition of the Balkans to greater understanding and stability. The success or failure of efforts in Bosnia is very closely linked to other similar situations in the region.

Ms. Pierce (United Kingdom): Allow me to join others in thanking the High Representative for his work and dedication throughout his time in office, and especially through what has been a difficult few months in Bosnia and Herzegovina. We have been extremely grateful for his efforts to maintain momentum on key reforms. We note and appreciate his recommendation that the Office of the High Representative and its attendant Bonn powers should be extended. We welcome the fact of the appointment of his successor, Mr. Lajcak, and we pledge to work with him closely, as we have done with the High Representative and his predecessors. And may I take this opportunity to ask the High Representative to pass on our thanks to his team, who have worked very hard in Bosnia and Herzegovina to bring the country into the European Union (EU).

Many speakers have mentioned the leading role of the European Union in Bosnia, and we are very grateful for that acknowledgement and support. I would like to align the United Kingdom with the statement that will be made later by the representative of Germany on behalf of the presidency of the European Union.

I think what we have heard around the table today shows strong disappointment at the lack of progress on the reforms in Bosnia, particularly those required for EU integration, and a certain amount — if I can put it like this — of incomprehension that a country that has had so much attention from the international community cannot do better itself, owing to the pernicious actions of some of its leaders, at actually putting into place the reforms that are needed for EU integration to proceed. This is almost worse than

disappointing as regards some of those leaders; it is negligence. And it is our view that Bosnia is poorly served by some of its leaders at present. There is tremendous goodwill for the country, as today's debate has shown. Some leaders — not all leaders, but some leaders — on all sides in all ethnic groups seem bent on squandering it. In contrast, we welcome very much the multi-ethnic emphasis, the ownership and the EU emphasis that we heard from Mr. Špirić today in his role as Chair of the Council of Ministers.

I would like to say briefly a word about Kosovo here, if I may. I think we share the High Representative's assessment of what the Kosovo issue is and how it is relevant to the debate in Bosnia at the moment. In other words, it is being used by a few of those nationalistic leaders for their own particular ends. There is no directly relevant link between Kosovo and the situation in Bosnia. We look to all leaders in Bosnia to make clear that that is not going to be their focus, and that they are going to turn their attention to building a stable multi-ethnic society in Bosnia that works for all its citizens.

I would like to say a brief word about the issue of decertified police and to thank those colleagues, and the High Representative, who were good enough to pay tribute to the role of the United Kingdom. We now look to the Bosnian authorities to ensure that the approach that the President of the Security Council laid down in his letter on 30 April is implemented. That includes annulling the decision to launch a domestic review process of International Police Task Force decisions.

I would like also to turn to constitutional reform. I think we strongly endorse what the High Representative said about not changing the territorial order of Bosnia that is laid down in the Dayton General Framework Agreement for Peace. Unilateral changes to the constitution contravene Dayton and risk instability in Bosnia and elsewhere. We would much rather that those leaders who favour constitutional reform work closely with the High Representative to bring about a consensus within Bosnia as to what sort of constitutional reform is needed and to secure the buy-in of all the relevant groups that are represented in its institutions and throughout the country.

Constitutional reform will be necessary — I do not think we can duck that — for Bosnia and Herzegovina to implement the reforms required for European Union and NATO integration. But it has to be on the basis of consensus and it has to be done in a way that is not unilateral and that proceeds in step with the Dayton Peace Agreement. We hope a new process will get under way soon; it has now been over a year since there was any meaningful discussion on constitutional reform. And I would like to say that if some of Bosnia's leaders put as much effort into constitutional reform and building a consensus as they do into their rhetoric about undermining Dayton, then Bosnia would have made progress a long time ago.

I think it is impossible to talk about Bosnia without talking about Srebrenica. I do not think that anybody can remain unmoved by the fate of the over 7,000 Muslim men and boys who were massacred, as several people have said, in the worst atrocity in Europe since the Second World War. That happened 12 years ago. I also think that it is impossible not to feel some shame at the international community's failure to prevent this massacre. I commend to colleagues a report written by the United Nations on Srebrenica.

But I would also like to emphasize that all of that is no an excuse for using Srebrenica as an issue for political ends. Bosnia's leaders should not exploit the recent International Court of Justice (ICJ) verdict to stir up Srebrenica as a means of undermining Dayton.

And Serbia and Republika Srpska leaders should not use that, in turn, as an excuse for ignoring what it is the ICJ said. It found, among other things, that genocide did take place at Srebrenica, and it called for cooperation in transferring those responsible to The Hague. Serbian and Republika Srpska leaders must recognize the implications, and also the gravity, of that ICJ verdict. It is frankly appalling that Serbia is not cooperating with the International Criminal Tribunal for the Former Yugoslavia (ICTY) and transferring Karadic and Mladic, responsible for Srebrenica. The lack of their transfer is bound to impede the progress of the integration of the whole region into Europe and it follows that calls for special administrative status for Srebrenica are not helpful to managing the situation at present.

I would like to conclude by drawing attention to the fact that there are three words we hardly ever hear in connection with Bosnia at present. They are reconciliation, truth and justice. These things are needed every bit as much today as they were in 1995 when the Dayton Agreement was signed.

Mr. De Rivière (France) (*spoke in French*): I would like first of all to thank Mr. Schwarz-Schilling for his briefing and, in particular, to commend him for his work as High Representative in Bosnia and Herzegovina. I would also like to welcome Mr. Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina.

The Permanent Representative of Germany will soon make a statement on behalf of the European Union, with which I fully align myself. For my part, I would like to make the following comments.

The political and security situation described by the High Representative reminds us that it is necessary for the international community to remain vigilant in order to ensure the stability of Bosnia and Herzegovina. It is vital for the international community to remain mobilized and united in order to face both the internal tensions — and I am thinking here of the effects of the heightened political polarization since the October 2006 elections and the difficulties linked to the police reform process — and those related to a regional environment that is still uncertain. It is also vital to remind the Bosnian political actors of the need for responsible conduct. Initiatives which could threaten the stability of Bosnia and Herzegovina will not be accepted.

In this context, it is proper to maintain a robust international framework for the political and reform processes in Bosnia and Herzegovina. It is for this reason that the Peace Implementation Council decided to extend the mandate of the Office of the High Representative beyond June 2007. I welcome the appointment as future High Representative Mr. Miroslav Lajcak, an experienced diplomat who is very familiar with the region. He will enjoy our full support and, I am sure, that of the Security Council.

I would like to recall our commitment to the European perspective of Bosnia and Herzegovina, which should be enshrined in the signing of a stabilization and association agreement. That will not be possible until the police and mass media reforms have been implemented. We expect that the federal authorities and the federated entities will fulfil the commitments that they have made.

Furthermore, France will be particularly attentive to ensuring that the efforts to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia (ICTY) will be continued and stepped up. The arrest and the transfer to The Hague of all fugitives remains essential, both to meet Bosnia and Herzegovina's international obligations and to complete the necessary reconciliation process.

The High Representative referred to the issue of the non-decertification by the International Police Task Force of Bosnian police officers. We welcome the fact that a solution acceptable to all parties was found on the basis of the recommendations made by Mr. Schwarz-Schilling. It is now up to the Bosnian authorities to act within the framework of the letter sent by the President of the Security Council to the High Representative.

Our objective is to move as soon as possible towards a transfer of all powers to Bosnian authorities and, hence, the removal of the international stewardship. The pace of that process will depend to a large extent on Bosnia and Herzegovina's success in the reform process. It is in that spirit that we view the extension of the High Representative's mandate.

Mr. Kleib (Indonesia): Let me first join others in thanking Mr. Schwarz-Schilling, the High Representative for his comprehensive report on the issue. The report (S/2007/253, annex) provides us with a snapshot of the current conditions, providing valuable information about the situation on the ground. We would also like to welcome and thank the Chairman of the Council of Bosnia and Herzegovina for his statement.

The decision of the European Union on 11 December 2006 to downsize the European Union military operation in Bosnia and Herzegovina during 2007 was a significant political event. It meant that the general security condition was improving and that domestic law enforcement agencies had become capable of coping with the challenges ahead of them. It meant that the fruit of years of investment and training of domestic law enforcement agencies could now be reaped. This would not only increase the sense of national ownership but also show the general public that its own agencies are leading the efforts. We therefore congratulate the Government of Bosnia and Herzegovina on making such progress. We also commend the European Union for providing assistance.

Furthermore, we acknowledge that the Balkan region has had a bitter experience with nationalistic sentiments. The world is filled with tragic stories arising from unfettered nationalistic sentiments.

Europe has had a share of this story. We thus understand why the report is cautious on this subject, in view of the fact that these nationalistic sentiments are capable of hindering progress in the region.

It is our view, however, that these nationalistic feelings can also be a source of strength for a country and can be used to unite it and move it forward. Nationalistic sentiments can represent a greater feeling of ownership, which is critically needed for the current situation in Bosnia and Herzegovina. We believe that the Government needs to funnel these abundant sentiments to reenergize the society, which would help the peace and reconciliation efforts.

Inflammatory rhetoric during political campaigns reflects the ebb and flow of political events. Nonetheless, we call on all sides to exercise restraint and to put the interests of their societies above all other considerations.

We also note with concern the slow return of refugees and internally displaced persons (IDPs). We believe that any inducement to encourage returnees should not be focused solely on the provision of the basic necessities of modern life, important as they are. There also needs to be a higher level of trust among the returnees and the local population. This also has to be nurtured carefully. The returnees need to be convinced that they will be able to interact and live peacefully with the others. It must be recognized that the longer it takes for them to return, the less incentive there is for them to do so.

While there have been some accomplishments in various sectors, challenges remain to be addressed, including how the national authorities can be assisted further in effectively carrying out reforms in the constitutional and police areas.

With reference to broad constitutional reform, my delegation deems it necessary that reforms be undertaken in a careful manner and in line with the Peace Agreement. Constitutional reform should serve the interests of all sides to achieve stability, peace and a just society. There are various constitutional reform processes and models throughout the world from which it can benefit. However, efforts to impose one particular experience of constitutional reform on Bosnia and Hezergovina would not serve its interests. The most important thing is for the reform exercise to reflect the wishes of the country's people and embody local norms, values and wisdom.

Finally, since this will be the last report presented by High Representative Schwarz-Schilling, we join others in thanking him and in expressing our appreciation to him for his hard work and dedication to meeting the objectives set by the Council.

The President: I shall now make a statement in my capacity as the representative of the United States.

We welcome the High Representative to the Security Council today and take this opportunity to thank him for his service.

I will focus the bulk of my remarks on the current situation inside Bosnia and Herzegovina. We, like others in the Council, are concerned that progress on reforms needed for Euro-Atlantic integration has stalled, due in part to irresponsible rhetoric from leading nationalist politicians. We were disappointed that Bosnia and Herzegovina was not in a position where the Peace Implementation Council Steering Board could decide to close the Office of the High Representative this summer. We hope the situation in Bosnia will allow the Office of the High Representative to end in June 2008, and we will follow the situation closely.

I compliment Chairman Špirić on his efforts in support of reform, and I hope that he will take the following message back to his country: It is incumbent on all of Bosnia's leaders to set aside destabilizing rhetoric and focus on issues that matter for the welfare of Bosnia's citizens. Unless reforms get back on track soon, Bosnia risks falling behind its neighbours as they move closer to the European Union (EU) and to NATO. We urge Bosnian leaders to reach an agreement as soon as possible on police reform that meets the EU's criteria for concluding a Stabilization and Association Agreement.

Bosnia's joining NATO's Partnership for Peace in January was an important milestone. The Bosnian Government needs to follow through on implementation of defence reforms that will enable further NATO integration. Bosnian leaders also need to return to efforts to modernize the country's outmoded Constitution.

An all-or-nothing approach is simply a recipe for gridlock. Constitutional reform must be incremental and consensus-based. The United States and the international community are ready to help in those endeavours, but Bosnians must lead the way. We call

on the Bosnian Government to move rapidly to implement the conditions described in the Security Council President's letter on police decertifications, including the need to annul the December 2006 Council of Ministers decision to establish a Bosnian Government review mechanism.

The United States welcomes the Peace Implementation Council's decision to appoint Miroslav Lajčák as the new High Representative and looks forward to supporting him when he takes office.

Again, I want to thank Mr. Schwarz-Schilling for his contributions to the consolidation of peace in Bosnia and Herzegovina.

I now resume my functions as President of the Council.

I give the floor to the representative of Germany.

Mr. Matussek (Germany): I have the pleasure of speaking on behalf of the European Union. The candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Montenegro and Serbia, the European Free Trade Association (EFTA) country Iceland, member of the European Economic Area, as well as Ukraine and the Republic of Moldova, align themselves with this statement.

As this is the first time that I am taking the floor under your presidency of the Security Council, please allow me, Sir, to congratulate you on the assumption of your duties.

Let me start by thanking the High Representative and European Union (EU) Special Representative Mr. Christian Schwarz-Schilling for his briefing on developments in Bosnia and Herzegovina. We would also like warmly to welcome the Chairman of the Council of Ministers of Bosnia and Herzegovina, Mr. Nikola Špirić.

Since the last time Mr. Schwarz-Schilling briefed the Council, Bosnia and Herzegovina has seen positive developments in some areas. In others, progress has been scarce. The October 2006 elections have led to the formation of a new Government. The European Union welcomed the formation of a new Council of Ministers of Bosnia and Herzegovina in February. In November 2006, Bosnia and Herzegovina was invited to join NATO's Partnership for Peace Programme. In May 2007, the city of Sarajevo was selected as the seat for the new Regional Cooperation Council Secretariat.

There was also progress on the issue of police certification. On 30 April, the United Kingdom presidency of the Security Council issued a letter to Bosnia and Herzegovina. We are grateful that that brought this long-standing issue to a resolution. Both Mr. Schwarz-Schilling and his predecessor have been strongly engaged on this matter. The Office of the High Representative and EU Special Representative contributed to this particular solution through close cooperation with members of the Security Council and the Department of Peacekeeping Operations.

Cooperation was also close with the Council of Europe and with the authorities of Bosnia and Herzegovina. Implementation of this solution will require a continued engagement on the part of the Office of the High Representative and EU Special Representative and the EU Police Mission.

On 3 May 2007, the EU member States approved the text of the Stabilization and Association Agreement with Bosnia and Herzegovina. The conclusion of that agreement could bring Bosnia and Herzegovina a step closer to the EU. However, the conclusion of an agreement depends on progress in four key areas: building up the country's public administration, implementing police reform, implementing public broadcasting legislation, and full cooperation with the ICTY. Unfortunately, progress in those areas is still lacking.

We therefore call upon all parties in Bosnia and Herzegovina to work together constructively to overcome the remaining obstacles as soon as possible. To that end, the political leadership in Bosnia and Herzegovina must assume its responsibility in a clear, immediate and determined way and must overcome the current lack of progress.

However, the deterioration of the political climate in Bosnia and Herzegovina and the return of nationalistic rhetoric are causes for concern. Let me remind members that Bosnia and Herzegovina has a clear European perspective. The endorsement of the Stabilization and Association Agreement and the initialling of the visa facilitation and readmission agreements are clear indications that all 27 member States remain committed to Bosnia and Herzegovina's European future. Moreover, the European Commission is continuing to support Bosnia and Herzegovina's

efforts. Progress towards the European Union, however, depends to a large extent on Bosnia and Herzegovina and its own efforts.

I should also like to say a word on constitutional reform. Although it is not a precondition for concluding the Stabilization and Association Agreement, constitutional reform is essential for the future of Bosnia and Herzegovina. Functional and sustainable State structures are necessary to be better prepared for EU integration. Bosnian ownership in that process is indispensable. We are also grateful for the contribution of the High Representative and EU Special Representative in helping to bring this important issue forward.

In February, the Steering Board of the Peace Implementation Council decided against confirming closure of the Office of the High Representative in 2007. The decision was based on an assessment of the situation in Bosnia and Herzegovina and the wider region on the basis of the analysis presented by the High Representative. The aim is now to close the Office by 30 June 2008. The Steering Board agreed to review the situation at its meetings to be held in October 2007 and February 2008. Transition remains the goal; the policy of ownership remains the guiding principle. Extending the mandate of the Office of the High Representative is intended to ensure that the transition is completed in the shortest possible time. The European Union will continue to help Bosnia and Herzegovina make the final steps from peace implementation to European integration.

As this was the last opportunity for the High Representative and EU Special Representative to brief the Council, allow me to conclude by thanking Mr. Schwarz-Schilling on behalf of the European Union, but also in my national capacity, for his hard work and efforts in bringing Bosnia and Herzegovina closer to European structures. During his mandate, Bosnia and Herzegovina has indeed made considerable progress. I ask him to accept our gratitude for his part in that important project and best wishes for the future.

The President: I now give the floor to Mr. Schwarz-Schilling.

Mr. Schwarz-Schilling: I was impressed by the statements made by colleagues in the Council. I believe that there is a broad consensus about the way forward, the principle of ownership and the principle of transition to the European Union, but also about the tasks remaining for the international community in assisting and facilitating that process. I also wish to thank speakers for their kind words about my work.

Finally, I want to make a personal comment. In my capacity as a member of the Deutsche Bundestag and Chairman of the Committee on Human Rights and Humanitarian Aid, I made certain appeals to the Security Council. I tried very hard to draw attention to things that deserved to be seen and things to come in Bosnia and Herzegovina. So it is very moving experience for me to sit here today and to have had the opportunity to work in and serve that country, which has suffered so much, and to see the efforts of the international community to ensure that it has the best possible future. And we need to do that; it is not only a legal question, but a moral obligation.

I wish all the best to my successor on this very difficult path. It is difficult because the problems are much deeper than in other areas, and they can be solved only if we come together with the local leadership. I am very much encouraged by the leadership of Prime Minister Špirić: his approach, his moral stance and what he has accomplished. I hope that more political leaders in Bosnia and Herzegovina will truly support him, because we have a great chance, an historic window of opportunity, to achieve our goal: facilitating the way forward towards the European Union and the Euro-Atlantic partnership.

I thank Council members for their kind words and for all their help. I will continue to be of service to Bosnia and Herzegovina.

The President: I thank Mr. Schwarz-Schilling for his poignant remarks. Once again, on behalf of the members of the Council, I wish him all the best and thank him for his commitment to the consolidation of peace and prosperity in Bosnia and Herzegovina.

Let me also take this opportunity to thank His Excellency Mr. Nikola Špirić for his participation in this meeting.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.10 p.m.